

ORDINANCE NO. BL2019-_____

An Ordinance amending Chapter 4.12 of the Metropolitan Code pertaining to contracts with private operators of detention facilities.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 4.12 of the Metropolitan Code is hereby amended by deleting the existing Section 4.12.240 and substituting with the following:

4.12.240 Contracts for correctional facility management services.

A. From and after June 30, 2022, the Metropolitan Government of Nashville and Davidson County ("Metro"), and any agency, department, or subdivision thereof, shall not:

1. Enter into or renew any contract with any Private Contractor to operate, manage, construct, or lease any Detention Facility; or
2. Enter into any agreement or contract with any State agency for the detention of incarcerated persons at a Detention Facility within the geographic boundaries of Metropolitan Nashville and Davidson County if such agreement or contract permits a Private Contractor to operate, manage, or lease the Detention Facility, without regard to remuneration to or from Metro.

B. Any existing contract or agreement between Metro and a Private Contractor to operate, manage, or lease any Detention Facility that would otherwise be in effect as of June 30, 2022, shall be rescinded, voided, and canceled pursuant to the termination provisions within the existing contract not later than June 30, 2022.

C. Any new contract or agreement entered into between Metro and a Private Contractor after the effective date of this section to operate, manage, construct, or lease any Detention Facility shall include a provision automatically terminating the contract or agreement not later than June 30, 2022.

D. For purposes of this section, the following terms have the following meanings:

1. "Detention Facility" means any facility or structure in which people are incarcerated or otherwise involuntarily confined for purposes of execution of a punitive sentence imposed by a court, or for detention pending a trial, hearing, or other judicial, administrative, or immigration proceeding.
2. "Private Contractor" means a private, nongovernmental, for-profit entity.

Section 2. This Ordinance shall become effective from and after its enactment, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO
AVAILABILITY OF FUNDS:

Kevin Crumbo
Director of Finance

INTRODUCED BY:

Emily Benedict

Members of Council